

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION

UNITED STATES OF AMERICA,

v.

DERECK TAYLOR  
also known as  
D,  
Defendant.

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CRIMINAL FILE NO.

1:16-CR-145-13-TWT

**ORDER**

This is a criminal RICO action. It is before the Court on the Report and Recommendation [Doc. 1410] of the Magistrate Judge recommending denying the Defendant's Motion for Bill of Particulars [Doc. 1026], Motion to Suppress Statements [Doc. 1027], Motion to Suppress Physical Evidence [Doc. 1028], Motion for Early Production of Jencks Material [Doc. 1029], Motion to Sever [Doc. 1030], and Motion to Reveal the Deal [Doc. 1031].

I will not simply repeat the analysis of the Magistrate Judge in the thorough and well-reasoned Report and Recommendation. The Defendant has not shown that a bill of particulars is necessary for him to prepare his defense. The Court has no authority to force the Government to provide Jencks material this early before trial.

The Defendant is not entitled to grand jury testimony that is not produceable under Jencks, Brady or Giglio. The Government is not required to provide the Defendant with a list of witnesses. The Defendant concedes that the motion to sever is premature. Law enforcement had probable cause to make the traffic stop on March 1, 2015 based upon the timing of the lookout, the appearance of the Acura in close proximity to the shooting and the absence of other traffic. After finding the gun, the officers had additional probable cause to detain the Defendant. The Magistrate Judge correctly found that the Defendant's statement was not in response to interrogation by law enforcement. The Court approves and adopts the Report and Recommendation as the judgment of the Court. The Defendant's Motion for Bill of Particulars [Doc. 1026], Motion to Suppress Statements [Doc. 1027], Motion to Suppress Physical Evidence [Doc. 1028], Motion for Early Production of Jencks Material [Doc. 1029], Motion to Sever [Doc. 1030], and Motion to Reveal the Deal [Doc. 1031] are DENIED.

SO ORDERED, this 18 day of October, 2018.

/s/Thomas W. Thrash  
THOMAS W. THRASH, JR.  
United States District Judge